IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE SRI JUSTICE N.V. RAMANA
WRIT PETITION NO. 28595 of 1995

Between:

1 IMMADI RAJENDER, S/O LATE PAPAIAH,
R/O. HANUMAKONDA, WARANGAL DISTRICT.
2 IMMADI ESENDER, S/O LATE PAPAIAH,
R/O. HANUMAKONDA, WARANGAL DISTRICT.
3 IMMADI KOTESWAR, S/O. LATE PAPAIAH,
HANUMAKONDA, WARANGAL DISTRICT.

..... PETITIONERS

AND

1 THE COMMISSIONER, MUNICIPAL CORPORTION OF WARANGAL,
WARANGAL.
2 KAKATIYA URBAN DEVELOPMENT AUTHORITY, WARANGAL,
REP. BY ITS VICE- CHAIRMAN.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction particularly a Writ in the nature of Mandamus, declaring the action of the respondents in digging and laying the road through the land of the petitioners to an extent of 0-36 gts, in sy.no.581 at waddepalli revenue sivar, Hanumakonda Mandal, Warangal District, without first acquiring or taking possession through due process of law as totally illegal, without jurisdiction and consequently direct the respondents not to interfere with the possession and enjoyment of the above said lands of the petitioners except through due process of law.

Counsel for the Petitioners: MR.S.LAKSHMA REDDY

Counsel for the Respondent NO.1: MR.GOPAL GOVIND NAIK

Counsel for the Respondent No.2: None appeared

The Court made the following :

ORDER:

Learned counsel for the petitioners submitted that while admitting the writ petition, this Court granted interim orders in W.P.M.P.No.35295 of 1995, dated 19.12.1995, which reads as under;

> *"Pending further orders, the respondents are directed not to construct the road on the land of the petitioner to the extent of Ac.0-36 guntas in Survey No.581 of Waddepalli Revenue village of Hanamakonda Mandal, Warangal District, except by due process of law. Notice."*

Learned counsel for petitioners further submitted that in view of the interim orders no further orders are required to be passed in this writ petition.

Recording the said submission of learned counsel for the petitioners, the Writ Petition is dismissed as 'infructuous'. No costs.

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(N.V. RAMANA, J)

Dated 21.09.2004
Nsr

To

1 THE COMMISSIONER, MUNICIPAL CORPORTION OF WARANGAL,
WARANGAL.

2 THE VICE-CHAIRMAN, KAKATIYA URBAN DEVELOPMENT AUTHORITY, WARANGAL.

3 Two CD copies.